

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Robin Paul Martin
App. No : 10/575,870
Filed : April 17, 2006
For : WOUND CLEANSING APPARATUS
WITH SCAFFOLD
Examiner : Treyger, Ilya Y.
Art Unit : 3761
Conf No. : 3836

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant respectfully disagrees with the Examiner's Statement of Reasons for Allowance on the basis that not all the claims include "a means for bleeding the fluid flow path to bleed fluid from the recirculation tube, wherein the recirculation tube being in fluid communication with the fluid cleansing mechanism" and/or "a means for fluid cleansing that is a two-phase system."

Applicant further respectfully disagrees with the Reasons for Allowance to the extent that the Reasons for Allowance implies that the patentability of the claims rests solely on the recitation of a single feature, because it is the combination of features that makes at least some of the claims patentable.

For example, Claim 1 recites an apparatus for aspirating, irrigating and/or cleansing wounds, comprising:

- a fluid flow path, comprising:

- a conformable wound dressing, comprising a backing layer which is capable of forming a relatively fluid-tight seal or closure over a wound and a wound-facing face, at least one inlet pipe passing through and/or under the wound-facing face and directly or indirectly communicating with at least a fluid reservoir, and at least one outlet pipe passing through and/or under the wound-facing face, wherein a relatively fluid-tight seal or closure is formed over the wound at the point at which each inlet pipe and each outlet pipe passes through and/or under the wound-facing face; and

- a means for fluid cleansing in direct or indirect communication at least with the outlet pipe configured to retain in the cleansed fluid nutrients, molecules, factors, and/or other components from the wound exudate that aid in proliferation or that are favorable to the wound healing; and

- a biodegradable scaffold located under the backing layer and configured to be placed in contact with a wound bed in use;

- a fluid recirculation tube for directing cleansed fluid from the means for fluid cleansing back into the inlet pipe so that nutrients, molecules, factors, and/or other components from the wound exudate that aid in proliferation or that are favorable to the wound healing process are returned to the wound;

- a device for moving fluid through at least the wound dressing and means for fluid cleansing; and

- a means for bleeding the fluid flow path to bleed fluid from the recirculation tube; the apparatus being configured such that fluid can be supplied to fill the fluid flow path from the fluid reservoir and such that at least a portion of the fluid flowing through the outlet pipe can be recirculated via the fluid recirculation tube through the fluid flow path.

Accordingly, Applicant submits that Claim 1 is allowable because the prior art does not teach or suggest the combination of features as recited by this claim. Likewise, the other claims of the present application are also allowable because they each recite a combination of features or steps that are not taught or suggested by the prior art.

Applicant also respectfully disagrees with the Examiner's Statement of Reasons for Allowance to the extent that the Statement of Reasons for Allowance indicates that only one prior art reference has failed to disclose or suggest the features of such claims.

10/575,870
April 17, 2006

Finally, Applicant respectfully disagrees with the Examiner's Reasons for Allowance to the extent that the Reasons for Allowance characterizes WO 2004/037334 as prior art to the present application. WO 2004/037334 is not prior art to the present application.

Respectfully submitted,

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Dated: March 2, 2010

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